

## Chapter 313 Annual Eligibility Report Form

## SECTION 1: Applicant and District Information

1. Tax year covered by this report: 2017  
**NOTE:** This report must be completed and submitted to the school district by May 15 of every year using information from the previous tax (calendar) year.
2. Application number: 1172  
**NOTE:** You can find your application number and all agreement documents and reports on the website [comptroller.texas.gov/economy/local/ch313/agreement-docs.php](http://comptroller.texas.gov/economy/local/ch313/agreement-docs.php)
3. Name of school district: Texhoma Independent School District
4. Name of project on original application (or short description of facility): Oslo Wind
5. Name of applicant on original application: Oslo Wind, LLC
6. Name the company entering into original agreement with district: Oslo Wind, LLC
7. Amount of limitation at time of application approval: \$20,000,000
8. If you are one of two or more companies originally applying for a limitation, list all other applicants here and describe their relationships.  
(Use attachments if necessary.)

## SECTION 2: Current Agreement Information

1. Name of current agreement holder(s) Oslo Wind, LLC
2. Complete mailing address of current agreement holder 310 4th St. NE, Suite 200 Charlottesville, VA 22902
3. Company contact person for agreement holder:
- |                       |   |
|-----------------------|---|
| <u>Dave Savage</u>    | <u>Senior Director of Project Development</u> |
| Name                  | Title   |
| <u>(512) 293-0209</u> | <u>dave.savage@apexcleanenergy.com</u>        |
| Phone                 | Email   |
4. Texas franchise tax ID number of current agreement holder: 32053841212
5. If the current agreement holder does not report under the franchise tax law, please include name and tax ID of reporting entity:
- |         |         |
|---------|---------|
| <u></u> | <u></u> |
| Name    | Tax ID  |
6. If the authorized company representative (same as signatory for this form) is different from the contact person listed above, complete the following:
- |                          |         |
|--------------------------|---------|
| <u></u>                  | <u></u> |
| Name                     | Title   |
| <u></u>                  |         |
| Complete Mailing Address |         |
| <u></u>                  | <u></u> |
| Phone                    | Email   |
7. If you are a current agreement holder who was not an original applicant, please list all other current agreement holders. Please describe the chain of ownership from the original applicant to the new entities. (Use attachments if necessary.)

1. Does the business entity have the right to transact business with respect to Tax Code, Chapter 171?  
(Attach printout from Comptroller website: <https://mycpa.cpa.state.tx.us/coa/>)

☒ Yes ☐ No

2. Is the business entity current on all taxes due to the State of Texas? ..... ☒ Yes ☐ No

3. Is the business activity of the project an eligible business activity under Section 313.024(b)? ..... ☒ Yes ☐ No

1. Total market value of all qualified property from all CAD property accounts subject to the 313 agreement ..... \$ | | | | | | | | | | 0

2. Total value of all applicable exemptions for the qualified property included in item 1.....\$

3. Total taxable value for school I&S\* tax purposes for the qualified property (Item 1 less Item 2) .....\$ 0

4. Limitation amount on appraised value specified as qualified in the 313 agreement. . . . . \$ 2 0 0 0 0 0 0 0

5. Total taxable value for school M&O tax purposes for the qualified property (lesser of item 3 or item 4) ..... \$ 0

1. How many new jobs were based on the qualified property in the year covered by this report? (See note above) . . . . .

2. What is the number of new jobs required for a project in this school district according to §313.021(2)(A)(iv)(b), §313.051(b), as appropriate? .....

3. Did the applicant request that the governing body waive the minimum job requirement, as provided under Tax Code §313.025(f-1)? ☐ Yes ☐ No

3a. If yes, how many new jobs must the approved applicant create under the waiver? .....

4. Calculate 80 percent of new jobs ( $0.80 \times$  number of new jobs based on the qualified property in the year covered by this report.) .....

5. What is the minimum required annual wage for each qualifying job in the year covered by the report? ..... \$

6. Identify which of the four Tax Code sections is used to determine the wage standard required by the agreement:

☐ §313.021(5)(A) or ☐ §313.021(5)(B) or ☐ §313.021(3)(E)(ii) or ☐ §313.051(b)

6a. Attach calculations and cite exact Texas Workforce Commission data source as defined in TAC §9.1051.

7. Does the agreement require the applicant to provide a specified number of jobs at a specified wage? ..... ☐ Yes ☐ No

7a. If yes, how many qualifying jobs did the approved applicant commit to create in the year covered by the report? .....

7b. If yes, what annual wage did the approved applicant commit to pay in the year covered by the report? . . . . . \$ \_\_\_\_\_



- 7c. If yes, how many qualifying jobs were created at the specified wage in the year covered by the report? .....
8. How many qualifying jobs (employees of this entity and employees of a contractor with this entity) were based on the qualified property in the year covered by the report? .....
- 8a. Of the qualifying job-holders last year, how many were employees of the approved applicant? .....
- 8b. Of the qualifying job-holders last year, how many were employees of an entity contracting with the approved applicant? .....
- 8c. If any qualifying job-holders were employees of an entity contracting with the applicant, does the approved applicant or assignee have documentation from the contractor supporting the conclusion that those jobs are qualifying jobs? ..... ☐ Yes ☐ No ☐ N/A

**SECTION 5B: Wage and Employment Information for Applications After Jan. 1, 2014 (#1000 and Above)**

**ONLY COMPLETE THE WAGE SECTION (5A or 5B) THAT APPLIES TO YOUR APPLICATION. You can find your application number on the website at [comptroller.texas.gov/economy/local/ch313/agreement-docs.php](http://comptroller.texas.gov/economy/local/ch313/agreement-docs.php).**

**NOTE:** For job definitions see TAC §9.1051(14) and Tax Code, §313.021(3).

**QUALIFYING JOBS**

1. What is the number of new qualifying jobs the applicant committed to create in the year covered by this report? ..... 0
2. Did the applicant request that the governing body waive the minimum qualifying job requirement, as provided under Tax Code §313.025(f-1)? ..... ☒ Yes ☐ No
- 2a. If yes, how many new qualifying jobs must the approved applicant create under the waiver? ..... 3
3. Which Tax Code section are you using to determine the wage standard required for this project? ☐ §313.021(5)(A) or ☒ §313.021(5)(B)
- 3a. Attach calculations and cite exact Texas Workforce Commission data sources as defined in TAC §9.1051.
4. What is the minimum required annual wage for each qualifying job in the year covered by this report? ..... \$ 47,235.24
5. What is the annual wage the applicant committed to pay for each of the qualifying jobs in the year covered by this report? ..... \$ 47,235.24
6. How many qualifying jobs (employees of this entity and employees of a contractor with this entity) were based on the qualified property in the year covered by the report? ..... 0
- 6a. Of the qualifying job-holders last year, how many were employees of the approved applicant? .....
- 6b. Of the qualifying job-holders last year, how many were employees of an entity contracting with the approved applicant? .....
- 6c. If any qualifying job-holders were employees of an entity contracting with the applicant, does the approved applicant or assignee have documentation from the contractor supporting the conclusion that those jobs are qualifying jobs? ..... ☐ Yes ☐ No ☒ N/A
7. Do the qualifying jobs meet all minimum requirements set out in Tax Code §313.021(3) and TAC 9.1051(30)? ..... ☐ Yes ☐ No

**NON-QUALIFYING JOBS**

8. What is the number of non-qualifying jobs the applicant had on Dec. 31 of the year covered by this report? ..... 0
9. What was the average wage you were paying for non-qualifying jobs on Dec. 31 of the year covered by this report? .. \$
10. What is the county average weekly wage for non-qualifying jobs, as defined in TAC §9.1051? ..... \$

**MISCELLANEOUS**

11. Did the applicant rely on a determination by the Texas Workforce Commission under the provisions §313.024(3)(F) in meeting the minimum qualifying job requirements? ..... ☐ Yes ☒ No
- 11a. If yes, attach supporting documentation to evidence that the requirements of §313.021(3)(F) were met.
12. Are you part of a Single Unified Project (SUP) and relying on the provisions in Tax Code §313.024(d-2) to meet the qualifying job requirements? ..... ☐ Yes ☒ No
- 12a. If yes, attach supporting documentation from the Texas Economic Development and Tourism Office including a list of the other school district(s) and the qualifying jobs located in each.

## SECTION 6: Qualified Investment During Qualified Time Period

ENTITIES ARE NOT REQUIRED TO COMPLETE THIS SECTION IF THE YEAR COVERED BY THE REPORT IS AFTER THE QUALIFYING TIME PERIOD OF THEIR AGREEMENT.

1. What is the qualified investment expended by this entity from the beginning of the qualifying time period through the end of the year covered by this report? ..... \$ 0.00
2. Was any of the land classified as qualified investment? ..... ☐ Yes ☒ No
3. Was any of the qualified investment leased under a capitalized lease? ..... ☐ Yes ☒ No
4. Was any of the qualified investment leased under an operating lease? ..... ☐ Yes ☒ No
5. Was any property not owned by the applicant part of the qualified investment? ..... ☐ Yes ☒ No

## SECTION 7: Partial Interest

THE FOLLOWING QUESTIONS MUST BE ANSWERED BY ENTITIES HAVING A PARTIAL INTEREST IN AN AGREEMENT.

For limitation agreements where there are multiple company entities that receive a part of the limitation provided by the agreement:

1) each business entity not having a full interest in the agreement should complete a separate form for their proportionate share of required employment and investment information; and, 2) separately, the school district is required to complete an Annual Eligibility Report that provides for each question in this form a sum of the individual answers from reports submitted by each entity so that there is a cumulative Annual Eligibility Report reflecting the entire agreement.

1. What was your limitation amount (or portion of original limitation amount) during the year covered by this report? ....
2. Please describe your interest in the agreement and identify all the documents creating that interest.

## SECTION 8: Approval

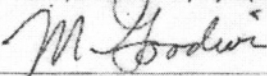
"I am the authorized representative for the Company submitting this Annual Eligibility Report. I understand that this Report is a government record as defined in Chapter 37 of the Texas Penal Code. The information I am providing on this Report is true and correct to the best of my knowledge and belief."

print  
here

Mark Goodwin

Print Name (Authorized Company Representative)

sign  
here



Signature (Authorized Company Representative)

print  
here

Merit Advisors, LLC

Print Name of Preparer (Person Who Completed the Form)

President and CEO

Title

6/6/18

Date

(407) 901-7447

Phone

## Calculation of three possible wage requirements with TWC documentation

Chapter 313 Wage Calculation – Sherman County – All Industries

| Quarter | Year    | Avg. Weekly Wages* | Annualized      |
|---------|---------|--------------------|-----------------|
| Third   | 2015    | \$747              | \$38,844        |
| Fourth  | 2015    | \$888              | \$45,176        |
| First   | 2016    | \$741              | \$38,532        |
| Second  | 2016    | <u>\$737</u>       | <u>\$38,324</u> |
|         | Average | \$778.25           | \$40,469        |
|         | 110%    | \$856.08           |                 |

Chapter 313 Wage Calculation – Sherman County – Manufacturing Jobs\*\*

| Quarter | Year    | Avg. Weekly Wages* | Annualized |
|---------|---------|--------------------|------------|
| Third   | 2015    | \$                 | \$         |
| Fourth  | 2015    | \$                 | \$         |
| First   | 2016    | \$                 | \$         |
| Second  | 2016    | \$                 | \$         |
|         | Average | \$                 | \$         |
|         | 110%    | \$                 |            |

\*\* Per the Comptroller's office, this data is not available for Sherman County.

Chapter 313 Wage Calculation – Regional Wage Rate – Manufacturing Jobs

| Region             | Year | Avg. Weekly Wages* | Annualized |
|--------------------|------|--------------------|------------|
| Panhandle Regional | 2015 | <u>\$925.79</u>    | \$42,941   |
|                    | 110% | \$908.37           |            |

\*See attached TWC documentation



12/19/2016

Texas LMI TRACER, Data Link

## Quarterly Employment and Wages (QCEW)

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| Page 1 of 1 (40 results/page) |         |                |           |          |       |          |                       |
|-------------------------------|---------|----------------|-----------|----------|-------|----------|-----------------------|
| Year                          | Period  | Area           | Ownership | Division | Level | Ind Code | Industry              |
| 2015                          | 3rd Qtr | Sherman County | Private   | 00       | 0     | 10       | Total, All Industries |
| 2015                          | 4th Qtr | Sherman County | Private   | 00       | 0     | 10       | Total, All Industries |
|                               |         |                |           |          |       |          | Avg Weekly Wages      |
|                               |         |                |           |          |       |          | \$747                 |
|                               |         |                |           |          |       |          | \$888                 |

12/19/2016

Texas LMC/ TRACER, Data Link

## Quarterly Employment and Wages (QCEW)

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| Year | Period  | Area           | Ownership | Division | Level | Ind Code | Industry              | Avg Weekly Wages |
|------|---------|----------------|-----------|----------|-------|----------|-----------------------|------------------|
| 2016 | 1st Qtr | Sherman County | Private   | 00       | 0     | 10       | Total, All Industries | \$741            |
| 2016 | 2nd Qtr | Sherman County | Private   | 00       | 0     | 10       | Total, All Industries | \$737            |

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**2015 Manufacturing Average Wages by Council of Government Region  
Wages for All Occupations**

| COG   | Wages   |          |
|---|---------|----------|
|   | Hourly  | Annual   |
| Texas   | \$24.41 | \$50,778 |
| 1. Panhandle Regional Planning Commission         | \$20.64 | \$42,941 |
| 2. South Plains Association of Governments        | \$17.50 | \$36,408 |
| 3. NORTEX Regional Planning Commission            | \$23.28 | \$48,413 |
| 4. North Central Texas Council of Governments     | \$25.03 | \$52,068 |
| 5. Ark-Tex Council of Governments                 | \$18.46 | \$38,398 |
| 6. East Texas Council of Governments              | \$19.84 | \$41,270 |
| 7. West Central Texas Council of Governments      | \$19.84 | \$41,257 |
| 8. Rio Grande Council of Governments              | \$18.32 | \$38,109 |
| 9. Permian Basin Regional Planning Commission     | \$25.18 | \$52,382 |
| 10. Concho Valley Council of Governments          | \$18.80 | \$39,106 |
| 11. Heart of Texas Council of Governments         | \$21.41 | \$44,526 |
| 12. Capital Area Council of Governments           | \$29.98 | \$62,363 |
| 13. Brazos Valley Council of Governments          | \$18.78 | \$39,057 |
| 14. Deep East Texas Council of Governments        | \$17.30 | \$35,993 |
| 15. South East Texas Regional Planning Commission | \$30.41 | \$63,247 |
| 16. Houston-Galveston Area Council                | \$26.44 | \$54,985 |
| 17. Golden Crescent Regional Planning Commission  | \$23.73 | \$49,361 |
| 18. Alamo Area Council of Governments             | \$19.96 | \$41,516 |
| 19. South Texas Development Council               | \$15.87 | \$33,016 |
| 20. Coastal Bend Council of Governments           | \$25.97 | \$54,008 |
| 21. Lower Rio Grande Valley Development Council   | \$16.17 | \$33,634 |
| 22. Texoma Council of Governments                 | \$19.04 | \$39,595 |
| 23. Central Texas Council of Governments          | \$18.04 | \$37,523 |
| 24. Middle Rio Grande Development Council         | \$22.24 | \$46,263 |

Source: Texas Occupational Employment and Wages

Data published: July 2016

Data published annually, next update will be July 31, 2017

Note: Data is not supported by the Bureau of Labor Statistics (BLS).

Wage data is produced from Texas OES data, and is not to be compared to BLS estimates.

Data intended for TAC 313 purposes only.





## Franchise Tax Account Status

As of : 06/06/2018 10:56:07

This Page is Not Sufficient for Filings with the Secretary of State

**OSLO WIND, LLC**

**Texas Taxpayer Number** 32053841212

**Mailing Address** 109 N SUNSET LN GUYMON, OK 73942-4648

**Right to Transact Business in Texas** ACTIVE

**State of Formation** DE

**Effective SOS Registration Date** 04/14/2014

**Texas SOS File Number** 0801976642

**Registered Agent Name** COGENCY GLOBAL INC.

**Registered Office Street Address** 1601 ELM ST., SUITE 4360 DALLAS, TX 75201